

C/ECF

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT FOR N.Y.

MEMORANDUM TO
THE HONORABLE JOANNA SEYBERT
UNITED STATES DISTRICT JUDGE

★ NOV 13 2018 ★

LONG ISLAND OFFICE

RE: U.S. v. Harold Bendell
DOCKET #: U.S. v. Bruce Bendell
SENTENCE DATE: 17-CR-585
November 30, 2018

REQUEST FOR ADJOURNMENT DUE TO DELAY IN PRESENTENCE INVESTIGATION

On July 26, 2018, the defendants pled guilty before Your Honor to a single-count information, charging the aiding and assisting in the preparation of a fraudulent income tax return. The investigations were assigned to the undersigned on July 31, 2018, with a scheduled sentence date of November 30, 2018.

At the present time, the Probation Department is completing the Offense Conducts for several defendants in the case U.S. v. Chartier, 17CR00372, pending before Your Honor; the cases have sentence dates within one week of the above-noted defendants and have been adjourned several times. Due to the myriad of holidays in early November (several of which are school holidays and require the undersigned to take leave), as well as the fact that the supervisor of the undersigned is at a conference for the majority of this week, it would be very difficult for the internal review of a complex securities fraud case and a tax fraud case involving defendants with very complex financial conditions to occur within such a short time frame. The Probation Department therefore requests that the sentencing for the above-noted defendants be adjourned until January 11, 2019, a date suggested by your courtroom deputy and which is acceptable to the undersigned, the Government, and both Defense Counsels, to allow for the Probation Department to prepare, review, and disclose complete and thorough presentence reports.

If Your Honor has any concerns regarding this matter, please contact the undersigned officer.

S/ Joanna Seybert
Application Granted
U.S. District Judge

11/13/2018
Date

New Sentence Date and Time: 1/11/2019 at 10:00am

Application Denied
U.S. District Judge

Date

RESPECTFULLY SUBMITTED,

EILEEN KELLY
CHIEF U.S. PROBATION OFFICER

Prepared by:

Steven S. Guttmann

Steven S. Guttmann
U.S. Probation Officer
(631) 712-6315

Date: November 5, 2018

cc: Steven J. Harfenist, Esq., Defense Counsel (Harold Bendell)
Scott A. Resnik, Esq., Defense Counsel (Bruce Bendell)
Burton T. Ryan, Jr., Esq., Assistant United States Attorney